



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

April 21, 2015

Jon Rhine  
Interstate Brick Company  
188 King Street Unit 509  
San Francisco, California 94107-4905

Subject: Denial of Partial Bond Release, Interpace Brick Company, Clinton Clay Pit,  
M/49/0006, Utah County, Utah

Dear Mr. Rhine:

The Division of Oil, Gas and Mining denies your request, received March 27, 2015, for full release of the remaining reclamation surety for the Clinton Clay pit. It was determined during an inspection conducted April 20, 2015, that the vegetation does not meet the required standards under R647-4-111.13. Specifically, the vegetation has not achieved 70 percent of the premining vegetation ground cover or 70 percent of the cover in adjacent areas, it has not yet survived three growing seasons, the Division has not determined that revegetation work has been completed within practical limits, and much of the vegetation does not support the postmining land use because of noxious weeds.

The inspectors noted stands of three listed noxious weed species, Dalmatian toadflax (*Linaria dalmatica*), Scotch thistle (*Onopordum acanthium*), and musk thistle (*Carduus nutans*), and individuals of a proposed noxious weed, myrtle spurge (*Euphorbia myrsinites*). The Division suggests that you contact the Utah County weed supervisor at 801-851-8600 or the Utah State University Extension office at 801-851-8460 for information about controlling these weeds. Dalmatian toadflax is normally controlled through herbicides applied in the fall, but control of the other species should be done as soon as possible.

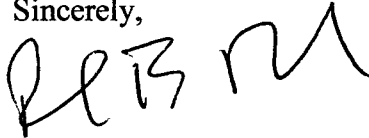
The Division recognizes that complete eradication of these species will be difficult to impossible but expects Interpace Brick to make a concerted effort to control the populations as much as possible. Please document the efforts you make and provide this information in the annual report. The information provided should show methods used (herbicide, mechanical, or other), timing, and time spent.



Page 1  
Jon Rhine  
M/049/0006  
April 20, 2015

Please re-submit the Application for Site and/or Bond Release found on the Division's Web site at [www.ogm.utah.gov/minerals](http://www.ogm.utah.gov/minerals) after two more growing seasons (fall of 2016). The Division will then re-inspect the site and make a further determination whether the site meets the revegetation standards. Please contact April Abate at 801-538-5214 or me at 801-538-5261 if you have any questions or concerns regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'PB Baker', written over the word 'Sincerely,'.

Paul B. Baker  
Minerals Program Manager

PBB:aa:pb  
Enclosure: Inspection Report  
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## Minerals Inspection Report

Reviewed

*PSB*

Report Date: 04/20/2015

Mine Name: Clinton Clay Pit	Permit Number: M/49/0006	Mine Status: Reclaimed
Operator Name: Interpace Holdings LLC	Inspection Date: 4/20/2015	Permit Fees: No Fee Req.
Inspector(s): A. Abate, Lynn Kunzler	Inspection Time: 11:00 AM	Bond Amount: \$37,500
Attendee(s): none	Weather: Sunny 60s	Bond Escalation: 8/10/2015
Inspection Purpose: Bond Release Inspection		Prior Inspection: 11/05/2014

### Conclusions and Recommendations

The operator applied for final bond release on March 27, 2015. Seeding was completed in the Fall of 2013. The operator requested a final bond release inspection for the remaining reclamation surety held for vegetation standards. The Division performed the inspection after only one growing season. R647-4-111 States that revegetation requirements include adaptable perennial species that will grow on the site, provide basic soil and watershed protection and support post-mining land use. Revegetation is considered achieved when 70 % of the premining vegetative cover is present on the site which is generally at least 3 growing seasons. Vegetation standards have not been achieved. Final bond release cannot be approved at this time.

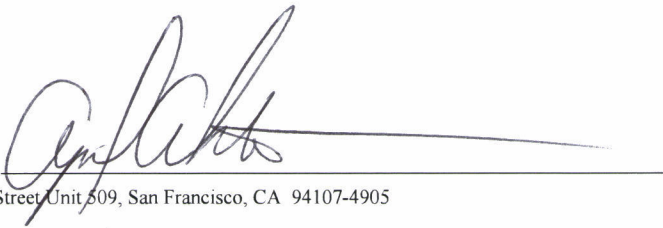
Elements of Inspection	Evaluated & Commented	Enforcement
1. <i>Permits, Revisions, Transfer, Bonds</i>	<input type="checkbox"/>	<input type="checkbox"/>
2. <i>Public Safety (shafts, adits, trash, signs, highwalls)</i>	<input type="checkbox"/>	<input type="checkbox"/>
3. <i>Protection of Drainages/Erosion Control</i>	<input type="checkbox"/>	<input type="checkbox"/>
4. <i>Deleterious Material</i>	<input type="checkbox"/>	<input type="checkbox"/>
5. <i>Roads (maintenance, surfacing, dust control, safety)</i>	<input type="checkbox"/>	<input type="checkbox"/>
6. <i>Reclamation</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reclamation activities were completed this site during the fall of 2013. This inspection took place at the beginning of the second growing season.		
7. <i>Backfilling/Grading (trenches, pits, roads, highwalls, shafts)</i>	<input type="checkbox"/>	<input type="checkbox"/>
8. <i>Soils</i>	<input type="checkbox"/>	<input type="checkbox"/>
9. <i>Revegetation</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Slopes on the north end of the former mine pit (southeast facing) only had an estimated coverage of 7%. Several noxious weeds were present on these slopes including Dalmatian Toad Flax, Musk Thistle and Scotch Thistle. All are on the Utah Noxious weed list and need to be controlled/eradicated immediately. The former clay stockpile hill had 70% vegetation cover, of which most is sweet clover. While in the seed mix, it is a biannual plant, and would be expected to disappear for the most part within another year. It is expected that this area would meet standards by the end of the third growing season. There were a few thistle plants on the lower portion of this hill that should also be spot treated. The flat former staging area had approximately 50% coverage. An adjacent sod pile contained several weeds including Tansy Mustard and needs to be sprayed. The northeast facing slope of the former mine pit contained several dead stands of sweet clover. Coverage in this area was only 10-12%. The west slope which was graded at a 3:1 had lots of forage kochia, sweet clover, and small burnett, but coverage was only 27%. No noxious weeds were noted on this slope. It is likely this area will also meet standards by the end of the third growing season. The pit floor did not appear to have even been ripped by the contractor and vegetation establishment is poor. It may be necessary to rip and reseed this area in order to meet revegetation success standards.		
10. <i>Other</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Musk Thistle, Scotch Thistle, and Dalmatian Toadflax were observed in clusters throughout the site (mostly on the south-facing slopes). These are State listed noxious weeds and need to be controlled/eradicated. While the Division does not have specific rules regarding the control of noxious weeds, we consider them such that they do not "support the post mining land use" (R647-4-111.13) and are not included in meeting the revegetation cover standard. Therefore it is critical that they be controlled to meet bond release criteria.		

Mine: M/49/0006

Inspected: 4/20/2015

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Inspector's Signature:

A handwritten signature in black ink, appearing to read 'Jon Rhine', is written over a horizontal line.

CC: Jon Rhine, 188 King Street Unit 509, San Francisco, CA 94107-4905

File: /nrwogmfs1/OGM/GROUPS/MINERALS/WP/M049-Utah/M0490006-ClintonPit/inspections/Insp-04202015.pdf





View of north slope of the mine. Vegetation had abundant weeds and coverage was only 7%.



Musk thistle weeds close up on north-side slopes.



Former clay stockpile area. Abundant sweet clover present.



Dalmatian toad flax- was present to the north of the road adjacent to the former clay stockpile and is on the Utah Noxious Weed list.



